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TESTIMONY OF SENATOR SHELLY HETTLEMAN
SB 943 - FAMILY AND LAW ENFORCEMENT PROTECTION ACT

GUN VIOLENCE AND DOMESTIC VIOLENCE

This bill is not just about policy, it is about saving lives. This bill takes important steps to strengthen protections for domestic violence victims and law enforcement by ensuring that individuals subject to protective orders are required to relinquish their firearms swiftly.

Gun violence and domestic violence are deeply intertwined, creating a deadly intersection of public health crises that puts victims —particularly Black women and other women of color— at great risk. While each is independently detrimental and perilous, the presence of a firearm in an abusive situation escalates violence and gives rise to even more danger. Guns amplify the inherent power and control dynamics characteristic of abusive intimate relationships, whether as lethal weapons to injure and kill or as a tool to inflict emotional abuse without ever firing a bullet.

We know that when an abuser has access to a gun, the risk of homicide increases by **five times**.¹ Research also shows that more than half of intimate partner homicides against women are perpetrated with a firearm.² Black women in Maryland are five times more likely to die from domestic violence-related shootings compared to their representation in the population. Additionally, the impact of gun violence in domestic abuse situations extends beyond direct danger to the victim—posing serious risks to responding law enforcement, as well as to family members and children in the household.

These deaths are not inevitable; we know what works—disarming abusers. Federal law, as well as many state, tribal, and local laws, provide a legal framework to reduce the risk of domestic violence-related firearm injury and fatality by disarming certain domestic abusers. The 2024 Supreme Court decision in *US v Rahimi* affirmed that such laws restricting abusers' access to firearms are permissible under the Second Amendment.

Yet, these legal protections are only as effective as their enforcement. Despite laws mandating disarmament for individuals with protective orders, pretrial conditions, or certain criminal convictions, relinquishment procedures are often inconsistent or inadequate, leaving many survivors vulnerable. Moreover, each local jurisdiction has a different process, resulting in 24 different procedures.

While Maryland is recognized as a leader in gun safety—earning an A- rating from the Giffords Law Center—this grade masks a dangerous gap. In 2022, 56 Marylanders lost their lives due to intimate partner violence. **75% of them were killed with a firearm.** Without a robust, uniform process to ensure that abusers actually relinquish their firearms, survivors remain at risk. SB 943 closes this gap.

WHAT SB 943 DOES

This proposed legislation strengthens firearm relinquishment requirements in protective order proceedings, ensuring compliance with existing laws and closing dangerous gaps that leave survivors at risk of escalating violence. This bill provides several critical, life-saving safeguards by:

- 1. Strengthening firearm removal at every stage of the protective order process:**
 - a. Interim Protective Orders:** Grants judges the discretion to order firearm surrender at the interim stage, aligning with Extreme Risk Protective Order (ERPO) provisions.
 - b. Temporary Protective Orders:** Mandates firearm removal at the temporary order stage, which builds on current policy requiring mandatory removal at the final stage, to establish a layered safety net.
 - c. Final Protective Orders:** Reinforces existing mandatory firearm surrender requirements.
- 2. Establishing a clear and immediate relinquishment procedure:**
 - a. Timeline for surrender:** Requires immediate firearm transfer when an individual is legally prohibited from possession, with a strict deadline of no more than 24 hours.
 - b. Compliance Verification:** Mandates submission of a firearm transfer form to law enforcement within two business days to verify compliance.
 - c. Screening Questions:** Requires the court to ask petitioners (victims) whether the respondent (abuser) possesses firearms during protective order hearings, equipping the court with critical information to assess danger and enforce removal.
- 3. Improving Enforcement and Victim Notification:**
 - a. Non-compliance protocols:** Establishes clear protocols for law enforcement intervention if a firearm is not surrendered within the required timeframe.
- 4. Creates a task force on firearm relinquishment:**
 - a. Purpose:** Evaluates the effectiveness of current firearm surrender procedures, identify enforcement gaps, and recommend improvements.

IMPLICATIONS OF SB 943

This legislation provides a proactive approach to mitigate the devastating impacts of domestic violence by closing dangerous enforcement gaps across Maryland's firearm relinquishment laws. By requiring immediate transfer of firearms, SB 943 will work to significantly reduce the risk that an abuser will use a firearm to harm, threaten, or kill their victims during volatile periods of domestic violence cases. It ensures compliance with existing protections throughout all stages of the protective order process and equips the courts and law enforcement with information regarding the abuser's possession of firearms.

CONCLUSIONS

The solution is not arming the victims.^{3,4} The solution is disarming abusers. Removing firearms from abusers saves lives. SB 943 offers Maryland a proven, life-saving solution to a far-too-common and deadly problem. Therefore, I urge a favorable report from the Judicial Proceedings Committee on SB 943, and I thank you for your consideration.

References:

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